IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 7TH JULY 2006 / 16TH ASHADHA,1928

Bail Appl..No. 3851 of 2006

(CRIME NO.118/2006 OF MAVELIKKARA EXCISE RANGE)

PETITIONER/ACCUSED:

MAHESWARI, W/O. SUKUMARAN,
SONDEEP BHAVANAM, PAYYANALLOOR MURI,
PALAMEL VILLAGE, NOORANAD.

BY ADV. SRI.RASHEED C.NOORANAD

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR T.K. KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.3851/2006

DATED THIS THE 7TH DAY OF JULY, 2006

O R D E R

The petitioner is the accused in C.R.No.118/2006 of Mavelikkara Excise Range. She is alleged to have committed the offence, punishable under Sections 55(a) and 8(1) and 8(2) of the Abkari Act. It is alleged that she was possessing five liters of spirit. Hence the petition is filed under Section 438 Cr.P.C.

2. Considering the facts that are revealed before me, I direct the petitioner to surrender before the Judicial Magistrate of First Class, Mavelikkara, within ten days from today, and move an application for bail, after serving copy of the same to the Prosecution. The learned Magistrate thereon, shall dispose of the same, on merit.

3. If the Excise Range Inspector of

Mavelikkara, move an application for the custody of the petitioner, the same shall also be considered. If no such application is filed, the petitioner shall be released on bail, as per the law.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs